

Must Reveal Secrets

FINAL INSTALLMENT.

Third Section of Report of Basil M. Mainly, Director of Research and Investigation, containing findings of fact and recommendations of the Staff, Report in full accepted and endorsed by resolution of the Commission. Adopted by Committee on Public Safety, House of Representatives, June 1, 1938.

Frederick S. Garrison, Chairman, and Austin B. Garrison, Secretary.

Free Speech.

"One of the greatest sources of social unrest and bitterness has been the attitude of the police toward public speaking. In numerous occasions in every part of the country, the police of state and town have either arbitrarily or under the cloak of a traffic ordinance, interfered with or prohibited public speaking, both in the open and in halls, by persons connected with organizations of which the police or those from whom they received their orders did not approve. In many instances this interference has been carried out with a degree of brutality which would be incredible to those who have not been privileged to witness it. It has been justified by reliable witnesses. Bloody riots frequently have been connected with the suppression of large numbers of persons have been arrested for acts of which they were innocent or who were committed under the extreme provocation of brutal treatment of free or private citizens.

In some cases this suppression of free speech seems to have been the result of sheer brutality and wanton mischief, but in the majority of cases it undoubtedly is the result of a belief by the police and their superiors that they were "supporting and defending the government" and in all cases the persons who were arrested or otherwise treated were of no greater crime. Such action against the free press and public criticism should not be maintained. Furthermore, it is the lesson of history that attempts to suppress ideas results only in their more rapid propagation.

Not only should every barrier to the freedom of speech be removed, as long as it is kept within the limits of decency and the penalties for libel can be invoked, but every reasonable opportunity should be afforded for the expression of ideas and the public criticism of social institutions.

The experience of Police Commissioner Woods of New York City, as contained in his testimony before this Commission, is convincing evidence of the good results which follow such a policy. Mr. Woods testified that when he was Police Commissioner of New York, he found in force a policy of rigid suppression of political street meetings and that bitter riots were the frequent and widespread. He adopted a policy of not only permitting public meetings at all places where traffic and the public conveniences would not be interfered with, but instructing the police to protect speakers from hostility, as a result the rioting entirely ceased, the street meetings were more orderly and the riots were more restrained in their utterances.

To remove the causes which lead to violence and to provide for the impartial and effective action of police during disputes, the following recommendations are made:

1. "The enactment by Congress of a statute prohibiting the use of military or State to State either for arms or for the purpose of arming them as guards of the property of employers or of employees.

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2. The definition by statute, by the State, of the conditions under which the police may use force in the enforcement of laws.

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